

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-CV-152-D

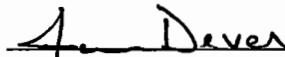
RICHARD WHITE,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
WELLS FARGO & COMPANY, and)	
WELLS FARGO BANK, N.A.,)	
)	
Defendants.)	

On June 13, 2016, Wells Fargo & Company and Wells Fargo Bank, N.A. (“defendants”) filed a motion to stay pending arbitration [D.E. 29] and a motion to stay the Rule 26(f) meeting and entry of a scheduling order [D.E. 31]. See [D.E. 30, 32]. On June 16, 2016, Richard White (“White” or “plaintiff”) objected to the motion to stay [D.E. 33]. On June 28, 2016, White responded in opposition to the motion to stay [D.E. 34].

The court has considered the entire record and governing law. See, e.g., Landis v. N. Am. Co., 299 U.S. 248, 254–58 (1936); J.J. Ryan & Sons, Inc. v. Rhone Poulenc Textile, S.A., 863 F.2d 315, 320–21 (4th Cir. 1988); Am. Home Assurance Co. v. Vecco Concrete Constr. Co., 629 F.2d 961, 964 (4th Cir. 1980). Staying this action pending the arbitration between White and Wells Fargo Securities, LLC will promote judicial economy, avoid confusion and inconsistent results, and will not unduly prejudice the parties to this action or create undue hardship. Accordingly, defendants’ motion to stay pending arbitration [D.E. 29] is GRANTED, and the action is STAYED pending final resolution of the Financial Industry Regulatory Authority arbitration captioned White v. Wells Fargo Securities, LLC, FINRA-DR Arbitration Case No. 15-01223. The parties promptly shall file a notice

with this court after final resolution of the arbitration. Moreover, defendants' motion to stay the Rule 26(f) meeting and entry of a scheduling order [D.E. 31] is GRANTED, and all pretrial discovery and deadlines in this action are STAYED pending final resolution of the arbitration. Defendants' motion to dismiss plaintiff's complaint [D.E. 20] is DENIED as moot in light of the amended complaint. Defendants' motion to dismiss plaintiff's amended complaint [D.E. 27] is DENIED without prejudice. The amended complaint remains pending. Defendants may file another motion to dismiss the amended complaint after final resolution of the arbitration.

SO ORDERED. This 27 day of September 2016.



JAMES C. DEVER III
Chief United States District Judge